

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.07.2017

CORAM :

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

WRIT PETITION No. 5691 of 2017

S. Gomathi ... Petitioner
Vs.

1. The Principal Secretary,
Personnel and Administrative Reforms (N) Department,
Fort St. George, Secretariat,
Chennai - 600 006.
[R1 -Deleted as per Order dated 04.07.2017
in W.M.P. No.14795 of 2017]
2. The Revenue Divisional Office,
Dharmapuri. ... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondent to revoke the order of suspension and reinstate the petitioner by considering the petitioner's representation dated 29.01.2017 and pass order on merits within a stipulated period as fixed by this Hon'ble Court in terms of circular Letter No.13519/N/2015-1 dated 23.07.2015 issued by the Principal Secretary, Personnel and Administrative Reforms (N) Department, Chennai.

For Petitioner : Mr.R.Ezhilarasan

For Respondents: Mr.K.Dhananjeyan (For R2)
Special Government Pleader
R1 (Deletion)

ORDER

The relief sought for in this writ petition is, for a direction to the second respondent to revoke the order of suspension and to reinstate her in service by considering the representation submitted by the writ petitioner on 29th January 2017.

2. The writ petitioner was placed under suspension in proceedings Roc. No.3623/2016/A1 dated 9th July 2016 by the

Revenue Divisional Officer, Dharmapuri on the ground that he was arrested on 8th July 2016 by the Officials of the Vigilance Department under the Provisions of Vigilance and Anti-corruption Act. In fact, the writ petitioner was trapped and caught instantly by the Police Officials and thereafter, an arrest was effected against the writ petitioner.

3. It is a case of corruption and this Court cannot show any leniency against any act of corruption by the public servant while performing his/her duties and responsibilities towards public. It is for the employee, who is facing the corruption charges, who has to undergo the process of enquiry and prove his/her innocence. Since, a criminal case is registered against the writ petitioner, more specifically under the Provisions of Vigilance and Corruption Act, this Court is not inclined to consider the prayer as such sought for in this writ petition and accordingly, the writ petition stands dismissed. However, there is no order as to costs.

s/d-
Assistant Registrar(CS VI)

True Copy

Sub-Assistant Registrar

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To

1. The Principal Secretary,
Personnel and Administrative Reforms (N) Department,
Fort St. George, Secretariat,
Chennai - 600 006.
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2. The Revenue Divisional Office,
Dharmapuri.

+1 CC to Govt. Pleader sr 46874

+1 CC to Mr.R. Ezhilarasan, Advocate sr 46327

W.P.No.5691 of 2017

SJ(CO)
sp(15/09/2017)